

SUPREME COURT OF ILLINOIS

COURT CONVENED AT 9:30 A.M., WEDNESDAY, NOVEMBER 12, 2008

THE FOLLOWING ANNOUNCEMENTS WERE MADE:

ADVISEMENT DOCKET

No. 98609 - People State of Illinois, appellee, v. Michael Rivera, appellant.

Petition by appellant for leave to file petition for fees, costs and expenses after the conclusion of the proceedings before the United States Supreme Court. Motion allowed.

Order entered by the Court.

No. 104139 - George L.R. Powell, petitioner, v. Guy D. Pierce, respondent.

Motion by petitioner, pro se, for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

No. 104146 - People State of Illinois, respondent, v. Tyrone Holmes, petitioner.

Motion by petitioner, pro se, for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion denied.

Order entered by the Court.

No. 106455 - iPCS Wireless, Inc., etc., respondent, v. Sprint Corporation, etc., et al., petitioners.

Motion by petitioners for leave to file a motion for reconsideration of the order denying petition for leave to appeal. Motion allowed. The motion for reconsideration is allowed. This Court's order of September 24, 2008, denying the petition for leave to appeal is vacated. The petition for leave to appeal is denied. On the Court's own motion, and in the exercise of its supervisory authority, the Circuit Court of Cook County, in the matter of iPCS Wireless, Inc. v. Sprint Corp., No. 05 CH 11792, is directed to modify its order of September 20, 2006, paragraph 2 to grant defendants 360 days to comply with paragraph 1 of the circuit court's order. The circuit court is further directed to modify its order of September 20, 2006, to permit defendants to seek an extension of the 360-day period upon a showing of good cause, with due consideration given to the hardship(s) imposed on plaintiff by the requested extension.

Order entered by the Court.

Burke, J., took no part.

No. 106718 - B. Michael Schneider, petitioner, v. The Ryland Group, respondent.

Motion by petitioner, pro se, for reasons for the denial of petition for writ of certiorari as of right and leave to appeal. Motion denied.

Order entered by the Court.

No. 106743 - Eugene W. Brown, Jr., movant, v. Illinois Appellate Court, First District, et al., etc., respondents.

Motion by movant, pro se, for reconsideration of the Court's August 6, 2008, order denying the motion for supervisory order and for certain other relief. Motion denied.

Order entered by the Court.

No. 107260 - B. Michael Schneider, movant, v. Hon. Lee Preston, Judge of the Circuit Court of Cook County, et al., respondents.

Motion by movant, pro se, for reasons for the denial of the motion for supervisory order.
Motion denied.

Order entered by the Court.

PEOPLE'S DOCKET

No. 103933 - People State of Illinois, appellee, v. Dion Banks, appellant.

Motion by appellee for an extension of time for filing brief to and including February 3, 2009.
Motion allowed.

Order entered by Justice Freeman.

No. 106678 - Edwin A. Burnette, Public Defender of Cook County, petitioner, v. Hon. Lawrence Terrell, Judge of the Circuit Court of Cook County, respondent.

Motion by petitioner for an extension of time for filing reply brief to and including December 1, 2008. Motion allowed.

Order entered by Justice Freeman.

No. 107361 - Leratio Smith, movant, v. Justices of the Illinois Appellate Court, First District, respondents.

Motion by movant for a supervisory order.
Motion allowed. In the exercise of this Court's supervisory authority, the Circuit Court of Cook County is directed to allow movant, Leratio Smith, to file a late notice of appeal from the order of February 9, 2008, in People v. Leratio Smith, Cook County No. 99 CR 01111. It is further ordered that the Appellate Court, First District, is directed to accept the appeal as timely filed.

Order entered by the Court.

CIVIL DOCKET

No. 105752 - Addison Insurance Company, appellee, v. Donna Fay, etc., et al., (Laura Shackelford, etc., et al., appellants).

Motion by appellant Donna Fay for an extension of time to file reply brief to and including October 22, 2008. Motion denied as moot.

Order entered by Justice Kilbride.

Motion by appellant Donna Fay to adopt reply brief filed by Laura Shackelford. Motion allowed.

Order entered by Justice Kilbride.

Nos. 106517 - American Economy Insurance Company, appellant, v.
106831 Holabird & Root et al., appellees.
Cons.

Motion by Complex Insurance Claims Litigation Association for leave to file brief as amicus curiae instant on behalf of appellant. Motion allowed.

Order entered by Justice Freeman.

No. 106680 - Beelman Trucking, appellee, v. Workers' Compensation Commission et al. (Jack G. Carson, appellant).

Motion by the Illinois Trial Lawyers Association for leave to file brief as amicus curiae instant on behalf of appellant. Motion denied without prejudice to file a motion that complies with Supreme Court Rule 345(a).

Order entered by Justice Karmeier.

No. 106741 - The Village of Roselle, appellee, v. The Roselle Police Pension Board, appellant.

Motion by the Illinois Public Pension Fund Association for leave to file brief as amicus curiae instant on behalf of appellant. Motion denied without prejudice to file a motion that complies with Supreme Court Rule 345(a).

Order entered by Justice Thomas.

Motion by the Metropolitan Alliance of Police for leave to file brief as amicus curiae instant on behalf of appellant. Motion denied without prejudice to file a motion that complies with Supreme Court Rule 345(a).

Order entered by Justice Thomas.

No. 106798 - Newton Tractor Sales, Inc., appellant, v. Kubota Tractor Corporation et al., appellees.

Unopposed motion by appellees for an extension of time for filing brief to and including December 12, 2008. Motion allowed.

Order entered by Justice Karmeier.

No. 107432 - Richard P. Caro, etc., et al., respondents, v. Hon. Rod Blagojevich, etc., et al., movants.

Emergency motion by movants for a stay under Supreme Court Rule 305(d) or, in the alternative, for a supervisory order pursuant to Supreme Court Rule 383. It is ordered that the emergency motion for a stay under Rule 305(d), or in the alternative for a supervisory order pursuant to Rule 383 is allowed. The order of the Circuit Court of Cook County of October 15, 2008, in Caro, et al. v. Blagojevich, et al., Cook County No. 07 CH 34353, is stayed pending filing and disposition of a petition for leave to appeal in this Court, or expiration of the time therefore.

Order entered by the Court.

Emergency motion by Gregory Jacaway, Robin Jacaway, Daniel Jeslis, and Elissa Jeslis to join movants' emergency motion for a stay under Supreme Court Rule 305(d) or, in the alternative, for a supervisory order pursuant to Supreme Court Rule 383 and to add an explanatory reason in support. Motion allowed.

Order entered by the Court.

Motion by respondents for leave to file sur-reply instanter in opposition to movants' reply in support of their emergency motion for a stay or, in the alternative, for a supervisory order. Motion allowed.

Order entered by Justice Burke.

LEAVE TO APPEAL DOCKET

No. 107262 - Timothy A. Rogers et al., etc., respondents, v. Tyson Foods, Inc., petitioner.

Motion by petitioner to stay ruling on petition for leave to appeal pending resolution of settlement negotiations. Motion allowed. Petitioner is directed to file with the Court the first day of every month a report on the status of the settlement negotiations.

Order entered by Justice Karmeier.

No. 107477 - People State of Illinois, respondent, v. Brian Montecinos, petitioner.

Motion by petitioner for an extension of time for filing petition for leave to appeal to and including December 1, 2008. Motion allowed.

Order entered by Justice Freeman.

MISCELLANEOUS RECORD

M.R. 22663 - In re: Bruce Nash. Disciplinary Commission.

Motion by Bruce Nash for an extension of time of twenty-one (21) days to file an answer to the Court's rule to show cause issued on September 25, 2008. Motion allowed. Answer due on or before November 20, 2008.

Order entered by Justice Freeman.

THE FOLLOWING MOTIONS WERE PRESENTED AND ORDERS WERE ENTERED AS INDICATED:

CIVIL DOCKET

No. 107521 - National Association of Criminal Defense Lawyers, movant, v. Joliet Police Department et al., respondents.

Unopposed motion by movant to transfer case No. 3-08-0647, National Association of Criminal Defense Lawyers v. Joliet Police Department, from Will County to Cook County and to consolidate it with Cook County case No. 1-08-2073, National Association of Criminal Defense Lawyers v. Superintendent of Chicago Police Department et al.

LEAVE TO APPEAL DOCKET

No. 107197 - LaSalle Bank, N.A., etc., et al., petitioners, v. C/HCA Development Corporation, etc., et al., respondents.

Motion by petitioners to cite additional/supplemental authority instant. Motion allowed.

Order entered by Chief Justice Fitzgerald.

No. 107330 - George Divis, petitioner, v. Woods Edge Homeowners' Association et al., respondents.

Unopposed motion by petitioner to supplement petition for leave to appeal instant. Motion allowed.

Order entered by Chief Justice Fitzgerald.

MISCELLANEOUS RECORD

M.R. 22743 - In re: Kevin J. Hynes, petitioner.

Motion by Kevin J. Hynes for leave to appear pro hac vice in ISBE Case No. 2008-0573. Motion allowed.

Order entered by Justice Thomas.

M.R. 22747 - In re: Samantha Marie Karnia, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Samantha Marie Karnia to Samantha Marie Thompson. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22748 - In re: Jessica Ann Bushur, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Jessica Ann Bushur to Jessica A. Brasel. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22749 - In re: Stephanie Michelle Wagner, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Stephanie Michelle Wagner to Stephanie Michelle Galetti. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22750 - In re: Amanda Ellen Lyons, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Amanda Ellen Lyons to Amanda E. Geissler. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22751 - In re: Lisa Jonelle McLean, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Lisa Jonelle McLean
to Lisa Jonelle Forbes. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22752 - In re: Jill Marie Angle, an attorney, petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Jill Marie Angle to
Jill Marie Price. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22753 - In re: Jane Changwon Hong, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Jane Changwon Hong
to Jane Hong Shissler. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22754 - In re: Mary Elaine Pietryga, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Mary Elaine
Pietryga to Mary E. McDonnell. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22755 - In re: Andrea Kathleen Binion, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Andrea Kathleen
Binion to Andrea Kathleen Mareello. Motion
allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22756 - In re: Amy Dawn French, an attorney, petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Amy Dawn French to
Amy Dawn Fitts. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22757 - In re: Chrissie Flo Garza, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Chrissie Flo Garza
to Chrissie Flo Lee. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22758 - In re: Ann Marguerite Tutoky, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Ann Marguerite
Tutoky to Ann Tutoky Harper. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22759 - In re: Cathy Lee Biddlecombe, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Cathy Lee
Biddlecombe to Cathy Lee Lang. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22760 - In re: Corinne Suzanne O'Melia, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Corinne Suzanne
O'Melia to Corinne O'Melia Wendell. Motion
allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22761 - In re: Marissa Weinstock Chaet, an attorney,
petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Marissa Weinstock
Chaet to Marissa Chaet Brykman. Motion
allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22762 - In re: Kelly Jo Hardy, an attorney, petitioner.

Motion by petitioner for leave to change her name
on the roll of attorneys from Kelly Jo Hardy to
Kelly J. Hardy Murrie. Motion allowed.

Order entered by Chief Justice Fitzgerald.

M.R. 22763 - In re: Amy Nari Jeon, an attorney, petitioner.

Motion by petitioner for leave to change her name on the roll of attorneys from Amy Nari Jeon to Amy Jeon McCullough. Motion allowed.

Order entered by Chief Justice Fitzgerald.

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No. 106306 People State of Illinois, appellee, v. Terry L. Lewis, appellant.

THE FOLLOWING ORDER WAS ENTERED ON NOVEMBER 10, 2008:

Agreed emergency motion by appellee to continue oral argument to the January 2009 Term. Motion allowed.

Order entered by Chief Justice Fitzgerald.